

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

---

In re:	)	
	)	
GUNNAR SIGURDSSON and	)	No. 04-24911
ANNE MYRENE UIMONEN,	)	
	)	
Debtors.	)	
	)	
	)	
UIMONEN, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 05-01178
	)	
MBNA AMERICA, et al.	)	
	)	
Defendants.	)	

---

TRANSCRIPT OF THE DIGITALLY-RECORDED RULING  
BY THE HONORABLE SAMUEL J. STEINER  
NOVEMBER 21, 2005

---

Reported by: Robyn Oleson Fiedler  
CSR #1931

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

For the Debtor:

MR. CHARLES ROBINSON  
Attorney at Law  
1191 Second Avenue, Suite 1800  
Seattle, WA 98101-2939

For MBNA America:

MS. AIMEE WILLIG  
Attorney at Law  
601 Union Street, Suite 5500  
Seattle, WA 98101-2373

1                   DIGITALLY RECORDED IN SEATTLE, WASHINGTON

2                               NOVEMBER 21, 2005

3                                       --ooOoo--

4

5                   THE COURT: Well, to start with, there's just  
6                   no question that there has been a violation of the  
7                   discharge injunction by the defendants. It's  
8                   stipulated. It's admitted. And as I see it -- we  
9                   mentioned this at the start -- the only issue here this  
10                  morning is one of the amount of the contempt sanction  
11                  for the violation of the automatic stay.

12                  Now, the plaintiffs' loss, as I understand  
13                  it, \$500 from employment due to having been served with  
14                  process at a rather early hour in the morning, they're  
15                  certainly entitled to that. And as I see it, the next  
16                  thing they are entitled to is some amount for  
17                  attorney's fees.

18                  Now, the law is certainly that when there's  
19                  been a violation of the injunction, there is a duty to  
20                  mitigate or at least to attempt to mitigate. Of  
21                  course, we don't know if any efforts to mitigate would  
22                  have amounted to anything. Perhaps they would, perhaps  
23                  they wouldn't. At any rate, I think Mr. Robinson is  
24                  entitled to a reasonable fee for his services in  
25                  bringing this matter to a head and to a conclusion.

1           And I think the amount of that, a reasonable fee for  
2           what he's done, would be \$2,500. So the amount of the  
3           contempt citation for sanctions, total, will be \$3,000.

4                   And I'd appreciate it if a transcript would  
5           be made up of these oral remarks for the record. They  
6           can suffice for the Court's findings of fact and  
7           conclusions of law. Ms. Willig, I would appreciate it  
8           if you and Mr. Robinson would get together and prepare  
9           some kind of a judgment and submit it at your  
10          convenience.

11                   MS. WILLIG: We will, Your Honor.

12                   THE COURT: Thank you all very much. We're  
13          at recess.

14                           \* \* \* \* \*

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

ROBYN OLESON FIEDLER certifies that:

The foregoing pages represent an accurate and complete transcript of the entire record of the digitally-recorded ruling by the HONORABLE SAMUEL J. STEINER presiding, in the matter of UIMONEN; and

These pages constitute the original or a true copy of the original transcript of the ruling.

Signed and dated this 17th day of December, 2005.

AHEARN & ASSOCIATES

by |s| Robyn Oleson Fiedler  
ROBYN OLESON FIEDLER, Notary  
Public in and for the State of  
Washington, residing at Tacoma